

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 23479 of 1997

Between:

M/s Sridhar Co-op. House Building Society Ltd., Rep. by its
Secretary, M. Satyanarayana.

... PETITIONER

AND

The Commissioner, Survey & Land Records, Government of Andhra
Pradesh, Nampally Station Road, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction or Order preferably in the nature of Writ of Mandamus directing the respondent herein to dispose off the appeal filed by the petitioner before him on 7-2-1992 against the orders dated 22-1-1992 and 30-12-1991 issued by the District Collector and the Deputy Director, Survey and Land Records, Hyderabad District, Nampally, Hyderabad, respectively in accordance with Law and merits.

Counsel for the Petitioner: MR.RAJENDRA BUSSA

Counsel for the Respondent: GP FOR REVENUE

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus directing the respondent herein to dispose of the appeal filed by the petitioner before him on 07-02-1992 against the orders dated 22-01-1992 and 30-12-1991 issued by the District Collector and Deputy Director, Survey and Land Records, Hyderabad District, Nampally, Hyderabad, respectively in accordance with law and merits.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondent.

3. Against the Memo No.B2/5244/91 dated 22-01-1993 and Lr.No.B2/1354/91 dated 30-12-1991 issued by the District Collector, Hyderabad District, petitioner is said to have preferred an appeal dated 07-02-1992 under Section 11 of the A.P. Survey and Boundaries Act, 1923 read with Section 157 of A.P. Land Revenue Act, 1357 Fasli, before the respondent herein, along with an application for stay. It is stated by the petitioner that even though the appeal has been filed as long back as on 07-02-1992, respondent has neither considered the appeal, nor passed orders on the application for stay. Hence, the present writ petition.

4. Even though the writ petition was admitted in 1997, no counter affidavit is filed by the respondents. Learned Government Pleader, on instructions, submits that the appeal filed by the petitioner is still pending on the file of the respondent.

5. Inasmuch as the appeal dated 30-12-1991 filed by the petitioner against the Memo No.B2/5244/91 dated 22-01-1993 and Lr.No.B2/1354/91 dated 30-12-1991 issued by the District Collector, Hyderabad, along with an application for stay, is said to be pending on the file of the respondent herein, I deem it appropriate to dispose of the writ petition with a direction to the respondent to either consider passing orders on the stay application filed by petitioner or dispose of the appeal itself, if not already disposed of, expeditiously, in any case, within a period of six weeks from the date of receipt of a copy of this order, in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

N.V. RAMANA, J

March 24, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

- 1. *The Commissioner, Survey & Land Records, Government of Andhra Pradesh, Nampally Station Road, Hyderabad.*
- 2. *Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad*
(OUT)

Two C.D. Copies.

*Form-NIC-OGS/WP {**KRD**}*